



UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Guido DEDENBACH et al.
Serial No.: 09/890,685
Filed: January 18, 2002
For: CIRCUIT BREAKER AND METHOD
FOR PRODUCING SAME
Art Unit: 2832
Examiner: Lincoln D. Donovan

#8
1/22/03

AFFIDAVIT UNDER 37 CFR 1.131

I, Winfried Maeder, hereby declare:

1. I am a German patent agent employed by Moeller GmbH, the assignee of the above-cited application.

2. Based on information and belief and on my own knowledge, inventors Guido Dedenbach, Klaus Ochtinger, Carsten Rusteberg and Lutz Thilker conceived of the subject matter of the claims of the above-cited application prior to January 5, 1999, as evidenced by Exhibit A, which is a six-page German language invention disclosure document ("Erfindungsmeldung"), file ("Akte") 0700, signed prior to January 5, 1999, and Exhibit B, which is two pages of further drawings pertaining to the invention disclosure file 0700, and signed by inventor Guido Dedenbach prior to January 5, 1999, and a page of my hand-written notes dated prior to January 5, 1999 and describing the further drawings. Specifically, and as recited in claim 8 of the present application, Exhibits A and B disclose a circuit breaker having an interrupter chamber housing having an outside wall of a plastic material. An interrupter including a stationary contact member is disposed in the interrupter chamber housing and a moveable contact member is moveably connectable to the stationary contact member. A connecting terminal is provided corresponding to the stationary contact member. A busbar is imbedded into the outside wall and in contact with the outside wall over a large surface of the busbar, the busbar providing a connection between the stationary contact member and the corresponding connecting terminal. Also, as in claim 16, Exhibits A and B disclose injecting plastic material so as to surround a large surface area of the busbar. Where indicated, respective dates have been redacted from Exhibits A and B. I assert that all redacted dates are prior to January 5, 1999.

Application of: Guido Dedenbach et al.
Serial No.: 09/890,685
Filed: January 18, 2002

Affidavit Under 37 CFR 1.131

Page 2

3. Based on information and belief and my own knowledge, the invention was diligently acted upon from prior to January 5, 1999 to the date of filing of German Application No. DE 199 04 355.8, February 4, 1999, to which application the present application claims priority. This diligence is evidenced by Exhibit C (six-page German language invention disclosure document ("Erfindungsmeldung") given by me to German patent attorney Burghardt Podszus of Neuenahr, Germany, on December 2, 1998, and date stamped as received ("EINGEGANGEN") by attorney Podszus on December 2, 1998 near the center of the first page of the Invention Disclosure Form) and the actual German application filed on February 4, 1999. Preparation of the application by attorney Podszus, our review of the application and preparation for filing occurred during that period. Where indicated, respective dates have been redacted from Exhibit C. I assert that all redacted dates are prior to January 5, 1999.

4. Based on information and belief and my own knowledge, all the above actions took place in the United States, a NAFTA country, or a WTO country.

5. Based on information and belief, inventors Carsten Rusteberg and Lutz Thilker have left employment with Moeller GmbH and it is not possible without undue effort to produce their affidavit or declaration.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 2003/01/06


Winfried Maeder